

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT DIVISION

ERICA BROWN, ET AL

CASE NO. 5:21-cv-02406-SMH-MLH

VERSUS

JUDGE S. MAURICE HICKS, JR.

PMG OPCO-WASHINGTON,  
LLC, ET AL

MAG. JUDGE MARK HORNSBY

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**PLAINTIFFS' MOTION TO REMAND**

COMES NOW Plaintiffs, Erica Brown and Jeremiah Green, Individually and On Behalf of the Estate of Ruby Green, and move this Court to remand this action to state court. As set forth in the accompanying Memorandum in Support of Plaintiffs' Motion to Remand, removal by Defendants, PMG OPCO-Washington, LLC, d/b/a Booker T. Washington Skilled Nursing & Rehabilitation, and Kourtney Brownlee ("Booker T"), is unjustified because the PREP Act does not completely preempt Plaintiffs' state law claims; there is no federal question jurisdiction under the *Grable* doctrine; jurisdiction under the federal officer removal is unsupported by the plain language of the statute; and immunity under the PREP Act is a defense that state court can decide instead of exceeding the limits of supplemental jurisdiction under 28 U.S.C. § 1367. Having no basis in law or in fact, removal was wholly without merit. Therefore, Plaintiffs' Motion should be granted, and this case should be remanded to the First Judicial District Court, Caddo Parish, Louisiana.

**Respectfully submitted,**

**SALIM-BEASLEY, LLC**

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**CERTIFICATE OF SERVICE**

I hereby certify that I have on this day filed the foregoing document with the Clerk of the Court using the Court's electronic filing system, which sent notification of such filing to counsel of record.

This the 9th day of September, 2021.

/s/ Robert L. Salim

Robert L. Salim